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FARHAN R. NAQVI  
Nevada Bar No. 8589  
PAUL G. ALBRIGHT  
Nevada Bar No. 14159  
NAQVI INJURY LAW  
9500 W Flamingo Road, Suite 104  
Las Vegas, Nevada 89147  
Telephone: (702) 553-1000  
Facsimile: (702) 553-1002  
paul@naqvilaw.com  
naqvi@naqvilaw.com  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

LILIA JARRELL, individually,  
  
Plaintiff,

vs.

WAL-MART STORES, INC.; WALMART  
INC. d/b/a WALMART #2593; INLAND  
DIVERSIFIED LAS VEGAS EASTERN  
BELTWAY, LLC; THE INLAND REAL  
ESTATE GROUP, LLC a/k/a THE INLAND  
REAL ESTATE GROUP, INC.; INLAND  
REAL ESTATE INVESTMENT  
CORPORATION; DOES 1 through 100 and  
ROE CORPORATIONS 1 through 100,  
inclusive,

Defendants.

Case No.: 2:18-cv-01219-APG-CWH

**STIPULATION AND ORDER TO  
DISMISS (1) INLAND DIVERSIFIED  
LAS VEGAS EASTERN BELTWAY,  
LLC, (2)THE INLAND REAL ESTATE  
GROUP, LLC a/k/a THE INLAND  
REAL ESTATE GROUP, INC., and  
(3)INLAND REAL ESTATE  
INVESTMENT CORPORATION  
WITHOUT PREJUDICE, AND ORDER  
TO AMEND CAPTION**

IT IS HEREBY STIPULATED AND AGREED to by and between Plaintiff LILLIA  
JARRELL (hereinafter "Plaintiff"), by and through her attorney of record, PAUL G.  
ALBRIGHT, ESQ. of NAQVI INJURY LAW, and Defendants WAL-MART STORES, INC.,  
WALMART INC. d/b/a WALMART #2593, INLAND DIVERSIFIED LAS VEGAS  
EASTERN BELTWAY, LLC, THE INLAND REAL ESTATE GROUP, LLC a/k/a THE

1 INLAND REAL ESTATE GROUP, INC., and INLAND REAL ESTATE INVESTMENT, by  
 2 and through their attorney, TIMOTHY KUHLS, ESQ. of PHILLIPS, SPALLAS &  
 3 ANGSTADT LLC, as follows:

- 4 1. Defendants WAL-MART STORES, INC. and WALMART INC. d/b/a WALMART  
 5 #2593 (hereinafter "Defendant WAL-MART"), and Defendants INLAND  
 6 DIVERSIFIED LAS VEGAS EASTERN BELTWAY, LLC, THE INLAND REAL  
 7 ESTATE GROUP, LLC a/k/a THE INLAND REAL ESTATE GROUP, INC., and  
 8 INLAND REAL ESTATE INVESTMENT CORPORATION (hereinafter collectively  
 9 referred to as the "INLAND Defendants") represent that the INLAND Defendants are  
 10 not correct or necessary parties in this matter as they do not have any liability or  
 11 responsibility for the subject incident nor Plaintiff's alleged claims or damages arising  
 12 therefrom.  
 13
- 14 2. Defendants further represent that Defendant WAL-MART is the correct legal business  
 15 entity in this matter as it owned, operated, managed, maintained, inspected and/or  
 16 controlled the subject premises, Wal-Mart store #2593 located at 8310 E. Serene  
 17 Avenue, Las Vegas, NV 89123, and the area within the premises where the subject  
 18 incident allegedly occurred at all time relevant to the subject matter.  
 19
- 20 3. **IT IS HEREBY STIPULATED AND AGREED** based on the foregoing  
 21 representations that INLAND Defendants shall be dismissed **without prejudice** from the  
 22 above entitled matter, which has a date of loss of June 2, 2016, leaving WAL-MART  
 23 STORES, INC. and WALMART INC. d/b/a WALMART #2593 as the defendants in this  
 24 matter, and that such amendment shall relate back for all purposes, including the statute  
 25 of limitations.  
 26  
 27  
 28





- 1       4.   **IT IS HEREBY FURTHER STIPULATED AND AGREED** that this dismissal shall  
2       have no effect on Plaintiff's pursuit of her claims against the remaining defendants, and  
3       will not jeopardize Plaintiff's ability to establish coverage under any applicable  
4       insurance policies that may cover Plaintiff's subject claims.
- 5       5.   **IT IS HEREBY FURTHER STIPULATED AND AGREED** that, should discovery  
6       reveal that any of the foregoing dismissed entities are somehow liable for the subject  
7       incident, the subject premises, and/or Plaintiff's alleged claims or damages arising  
8       therefrom, Plaintiff may amend the Complaint, or any amendments thereto, to include  
9       the dismissed entities back into this lawsuit, and any such amendment shall relate back to  
10      the filing of the original Complaint for all purposes, including the statute of limitations.
- 11     6.   **IT IS FURTHER STIPULATED AND AGREED** that, despite the dismissal provided  
12      herein, if evidence demonstrates any negligence or liability on the part of the INLAND  
13      Defendants, Plaintiff may amend the Complaint, or any amendments thereto, to include  
14      the potentially liable entities back into this lawsuit, and any such amendment shall relate  
15      back to the filing of the original Complaint for all purposes, including the statute of  
16      limitations.
- 17     7.   **IT IS HEREBY FURTHER STIPULATED AND AGREED** that Plaintiff will not be  
18      required to file an amended Complaint or to re-serve the Complaint.
- 19     8.   **IT IS HEREBY FURTHER STIPULATED AND AGREED** that every reference in  
20      the body of the Complaint to INLAND DIVERSIFIED LAS VEGAS EASTERN  
21      BELTWAY, LLC, THE INLAND REAL ESTATE GROUP, LLC a/k/a THE INLAND  
22      REAL ESTATE GROUP, INC., and INLAND REAL ESTATE INVESTMENT  
23      CORPORATION will be understood to be and interpreted as a reference to WAL-
- 24      25     26     27     28



1 MART STORES, INC. and WALMART INC. d/b/a WALMART #2593 aside from  
2 paragraphs 4-6 of the Complaint. **IT IS HEREBY FURTHER STIPULATED AND**  
3 **AGREED** that the caption in this matter will be amended as set forth in *Exhibit 1*, which  
4 is attached hereto and incorporated herein by this reference.

5 DATED this 27th day of March, 2019.

6 DATED this 28th day of March, 2019.

7 NAQVI INJURY LAW

8 PHILLIPS, SPALLAS & ANGSTADT LLC

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11 FARHAN R. NAQVI  
12 Nevada Bar No. 8589  
13 PAUL G. ALBRIGHT  
14 Nevada Bar No. 14159  
15 9500 W. Flamingo Rd., Suite 104  
16 Las Vegas, Nevada 89147  
17 *Counsel for Plaintiff*

18 TIMOTHY KUHL, Esq.  
19 Nevada Bar No. 11441  
20 504 South Ninth Street  
21 Las Vegas, Nevada 89101  
22 (702) 938-1510

23 **IT IS SO ORDERED:**

24   
25 UNITED STATES DISTRICT JUDGE

26 DATED: March 27, 2019

27 Respectfully Submitted by:

28 NAQVI INJURY LAW



FARHAN R. NAQVI  
Nevada Bar No. 8589  
PAUL G. ALBRIGHT  
Nevada Bar No. 14159  
9500 W. Flamingo Rd., Suite 104  
Las Vegas, Nevada 89147  
*Counsel for Plaintiff*

